

Application Serial No. 10/671,968
Reply to Office Action dated September 21, 2005

Docket No. 1232-5146

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and the following remarks is respectfully requested.

Claim Status

Claims 1-14 are pending. Claims 1, 7, and 8 are amended herein. No new matter is added by these amendments. Claims 6 and 9 are canceled herein without prejudice or disclaimer. After entry of the foregoing amendments, claims 1-5, 7, 8, and 10-14 remain pending in this application, of which claims 1, 7, and 8 are independent in form.

Allowable Subject Matter

Claims 7 and 9 have been indicated containing allowable subject matter and as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. September 21, 2005 Office Action at 7.

Claim 7 has been rewritten in independent form to include the limitations of the previously presented versions of claims 1 and 6 from which claim 7 depended. Claim 8 has been rewritten to include the limitations of the previously presented version of claim 9 and claim 9 has been canceled. Accordingly, claims 7 and 8 are believed to define patentable subject matter.

Applicant submits that the aforementioned objections are hereby overcome or otherwise rendered moot, and request that the objections be withdrawn. Claims 7 and 8 as herein amended are submitted to be allowable.

Claim Rejections – 35 U.S.C. §§ 102 and 103

Claims 1, 2, 4 and 6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Iwagami et al., U.S. Patent No. 4,369,450 ("Iwagami"). Claims 3, 5, 11-14 are

Application Serial No. 10/671,968
Reply to Office Action dated September 21, 2005

Docket No. 1232-5146

rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Iwagami in view of Kurata, U.S. Patent No. 6,017,111 ("Kurata"). Claims 8 and 10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Iwagami.

Applicant respectfully disagrees with the characterization of the claims and prior art in the stated rejections and respectfully traverses these rejections.

Independent claim 1 is amended herein to more clearly recite the claimed subject matter. Specifically, amended claim 1 is directed to an inkjet recording apparatus comprising ink mist collecting means for collecting ink mist generated when recording means discharges ink in order to form an image on a recording medium, wherein the recording means alternates between a state where it continuously discharges the ink and a state where it does not discharge the ink, and wherein the ink mist collecting means collects ink mist when the recording means is in the state where it does not discharge the ink.

Applicant respectfully submits that the present invention as claimed is neither taught nor suggested by, and therefore is neither anticipated nor rendered obvious in view of, Iwagami.

Claim 6 has been canceled, and claim 8 has been amended as set forth above to incorporate the allowable subject matter of claim 9, overcoming or otherwise rendering moot the rejections of claims 6 and 8.

Dependent claims 3, 5, 11-14 depend from amended claim 1 and claim 10 from amended claim 8, and are each believed to define patentable subject matter for at least similar reasons as independent claim 1 and 8.

Applicant has not addressed the individual rejections of the dependent claims but reserves the right to do so, should such be necessary and appropriate.

Application Serial No. 10/671,968
Reply to Office Action dated September 21, 2005

Docket No. 1232-5146

Applicant respectfully submits that the present invention as claimed is neither taught nor suggested by, and therefore is neither anticipated nor rendered obvious in view of, Iwagami or Kurata, alone or in combination. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection under under 35 U.S.C. §§102 and 103.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.


AUTHORIZATION

While no fees or extensions of time are believed due, in the event that an extension of time is required to render this response timely, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any fees required by this paper, or credit any overpayments, to Deposit Account No. 13-4500, Order No. 1232-5146.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 20, 2005

By:


Stephen J. Manetta
Registration No. 40,426

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile